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Attorneys for Plaintiff
AMERICAN SMALL BUSINESS LEAGUE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

AMERICAN SMALL BUSINESS
LEAGUE,

Plaintiff,

v.

UNITED STATES OFFICE OF
MANAGEMENT AND BUDGET,

Defendant.

CASE NO. 4:20-cv-07126-DMR

**DECLARATION OF LLOYD CHAPMAN
IN SUPPORT OF PLAINTIFF AMERICAN
SMALL BUSINESS LEAGUE'S
OPPOSITION TO DEFENDANT UNITED
STATES OFFICE OF MANAGEMENT
AND BUDGET'S MOTION FOR
SUMMARY JUDGMENT AND CROSS-
MOTION FOR SUMMARY JUDGMENT**

Date: April 28, 2022

Time: 1:00 p.m.

Place: Zoom

Judge: The Honorable Donna M. Ryu

CANNATA O' TOOLE FICKES & OLSON LLP
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I, LLOYD CHAPMAN, declare as follows:

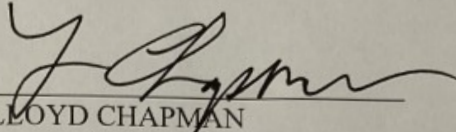
1. I am the President of the American Small Business League ("ASBL"), which is the plaintiff in this action. I make this declaration of personal knowledge and if called as a witness I could and would testify competently to the facts stated herein, except as to matters stated on information and belief, and as to them I believe them to be true.

2. ASBL is an organization based in Petaluma that focuses on promoting the interests of small businesses and educating the public about government operations. ASBL obtains information it receives through Freedom of Information Act ("FOIA") requests and other sources. ASBL has been previously successful in prior FOIA litigation against other federal agencies. ASBL distributes information obtained through FOIA requests in multiple ways, including but not limited to press releases, news articles and op-eds, television appearances, and podcasts. In addition, in reviewing government policies, programs, spending and procedures, ASBL uses this information to investigate the effectiveness of government programs intended to help small businesses, specifically the Small Business Act requirement that 23 percent of all federal contracting dollars must go to small businesses, five percent of which must be allocated to contracts with women-owned businesses. In its efforts to determine whether the federal government actually met the 23 percent goal and accurately represented such achievement, ASBL sought data regarding the total federal dollars devoted to acquisitions, and data regarding the number of federal dollars spent on small business contracting.

3. ASBL made two prior FOIA requests to defendant United States Office of Management and Budget ("OMB") in 2013 and 2017 for the total annual dollar volume of all federal acquisitions for Fiscal Years 2012 and 2016, respectively. Instead of providing responsive documents, OMB informed me that records sought by both requests were publicly available and sent me links to the home page for two of its online databases: USAspending.gov and the Federal Procurement Data System (fpds.gov). OMB did not inform me where in these databases the information was located or explain how to access the information. I am informed and believe that the total federal acquisition budget exceeds \$1 trillion.

1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing is true and correct.

3 Executed this 10 day of February 2022 in Indian Wells California.

4
5 
6 LLOYD CHAPMAN

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